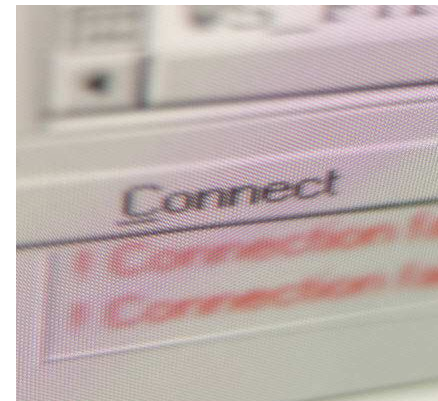


Developmental Disabilities & Justice ...Connecting the Dots

- I. Information from The Arc of NC
Partners in Justice Project**
- II. Crisis Intervention Teams**
- III. Victims' Collaborations**
- IV. DVD's**
- V. Websites**



I. A. What Disadvantages do People with Intellectual Disabilities Face in the Criminal Justice System?

They:

- may not want their disability to be recognized so they try to hide it
- may not understand their rights, but they will pretend they do
- may not understand commands



Disadvantages...

They:

- may be overwhelmed by police presence
- may say what they think the officer wants to hear
- may not understand why they are being detained & try to run away; or become upset & combative



Disadvantages...

They:

- may have difficulty describing details, actions or facts
- are often the last one to leave the scene of the crime & the first one to be caught
- may be confused about their part in the crime & confess even though innocent



What's needed?

- Persons with intellectual and developmental disabilities need to learn how to keep themselves safe. AND
- Justice officials need to learn to adapt their own interventions when with a person with an intellectual or developmental disability.

I. B. Resources for Training Self-Advocates on “Staying Safe”

- **Online go to www.arcnc.org**
- **Scroll down & click on “Partners in Justice”**
- **Scroll down to “Information for Specific Audiences”**
- **Click on “Self-Advocates”**
- **Click on underlined words on Self-Advocates’ page to access information on “Staying Safe”**

Martha Lamb

Information for Self-Advocates Includes:

Power Point Presentations with Speaker Notes

- Staying Safe In Your Community
- Stay Safe--Good Places-- Bad Places
- Rights and Rules

Accompanying Handouts

- Behavior to Stay Safe
- The Personal Empowerment Pledge
- Safety Card

I. C. Curricula at arcnc.org for Other Audiences to Learn Adaptations When With Someone Who Has an Intellectual Disability



- Judges & Attorneys
- Community Corrections
- Law Enforcement & Magistrates
 - Juvenile Justice
- Human Service & Families



Adaptations To Make When Dealing With A Person Who Has An Intellectual Disability

- Speak directly to the person.
- Use simple language; repeat points; speak slowly and clearly.
- Give one direction, or ask one question at a time.
- Ask person to repeat directions/instructions in their own words.
- Ask open-ended (“Who”, “What”, “Where,” “Tell me”) rather than “yes/no” type questions.
- Avoid abstract questions on time/sequences/reasons for behavior.
- Be patient and take time giving or asking for information.
- Observe behavior as non-verbal communication.
- Try to keep your surroundings quiet and free from distractions.
- Treat adults as adults, regardless of their disabilities.

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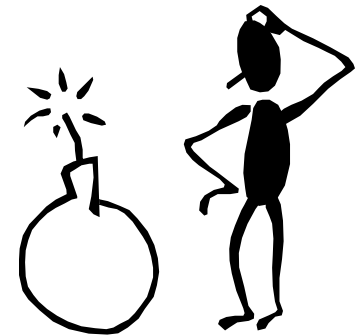
II. Crisis Intervention Teams (CIT)

are police-based pre-booking jail diversion programs that:

- Establish a special unit of skilled officers to intervene with persons in crisis**
- Provide special training to these officers to resolve crises using the least amount of force necessary**
- Emphasize taking persons with disabilities to treatment or supports instead of to jail**
- Make the system as convenient to take people to treatment as it is to take them to jail**

CIT Training

- **Didactic**
 - Formal lectures on various topics, including on autism & persons with DD
- **Dialogues with Consumers**
 - To reduce stigma & increase understanding of persons with disabilities
- **Experiential**
 - Use of role plays, practicing de-escalation skills



Essential Elements of CIT Training

- Introduction/orientation to CIT & the CIT partnership
- Overview of the mental health system
- Symptoms and signs of severe mental illness
- Medications for treatment of mental illness
- Personality disorders
- Substance abuse & co-occurring mental illness
- **Developmental disabilities**
- Dementia & aging
- Children/adolescent mental health
- Legal issues & mental health law
- Suicide intervention
- Post-traumatic stress disorder & effects of trauma
- Community resources, including accessing emergency/crisis services
- Family & consumer perspectives
- **Crisis intervention/de-escalation skills training**
- Use of force continuum, including when to use & not use less lethal weapons

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III. Crime Victims' Initiatives

A. S.A.F.E. (Strategic Alliances For the Elderly) Task Force – addressing safety and rights issues in long term care settings



B. Victims with Disabilities Task Force (includes disability advocates, domestic violence advocates & others)

C. Sexual Assault Prevention Focus Group through group collaboration addressing issue of sexual assault against persons with intellectual disabilities



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A. S.A.F.E.

Mission:

- To develop cooperative relationships between agencies that are charged with protecting individuals in long term care settings,
- Through the development and distribution of educational and training materials to professionals and the public
- Focused on recognizing and responding to crimes occurring in long term care facilities.

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Developed 3 Day Course for Law Enforcement entitled: “Voiceless Victims: Investigating Crime in Long Term Care”

- Aging Overview
- Long Term Care
- Interviewing Person with Disabilities
- Community Resources
- Mental Health
- Adult Protective Services
- Crimes Against the Elderly and Disabled
- Legal Issues in Investigations
- HIPAA
- Forensic Investigation of Sexual Assault in the Long Term Care Setting
- Field Visit to Long Term Care Facility

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B. Victims with Disabilities Task Force

- Coalition of disability advocates, victims' advocates, and others who work with these populations
- **Mission: “to support collaboration among agencies and advocates for victims with disabilities to promote justice and prevent violence.”**
- Sharing of cross-discipline training resources through regular meetings and e-mail correspondence
- Heighten awareness of connection between disability and victimization

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Sample Task Force Products

- Adaptation cards on engaging persons with intellectual disabilities distributed widely
- Guest speakers at meetings to share resources
- Input provided to document developed for N.C. judges through administrative office of the courts for learning how to adapt their interventions with persons who have intellectual disabilities and others
- List of statistics, websites, and DVD's on subject developed
- NCODH Fundamental Elements of Accessibility developed and shared
- Presentations at conferences
- Regular meetings and e-mail exchanges
- Task force exhibit board displayed with brochures at various venues
- Videos *To Protect and Serve* distributed to trainers

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Disability & Violence Statistics

- **Persons with disabilities in NC experience sexual assault at a rate 5 times higher than persons without disabilities. (BRFSS, 2001)**
- **Duration of abuse is longer for persons with disabilities. Prolonged abuse may be due to barriers faced in accessing services. (Carlson, 1997; Young, 1997)**
- **76% of adults with intellectual disabilities are survivors of sexual violence. (CDC, 1996)**
- **68 to 83% of women with developmental disabilities will be sexually assaulted in their lifetime, 50% higher than the rest of the population. Of that number, 49% will experience 10 or more abusive incidents. (Department of Justice 1998)**
- **Persons with a cognitive functioning disability had a higher risk of violent victimization than persons with any other type of disability in 2007 National Crime Victimization Survey.(U.S. Dept. Of Justice, Bureau of Justice Statistics, 2009)**

Increased Risk Because Individuals May Be:

- Unable to report abuse or seek services due to communication barriers
- Dependent on others for personal care
- Lacking sexuality education or prevention information
- Taught to be obedient; easier to coerce
- Physically less able to defend themselves or escape

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Possible Barriers to Accessing Services?

- **Attitudinal**
- **Informational**
- **Communication**
- **Architectural**
- **No written policies about accessibility**
- **Person with disabilities / caregiver unaware of services**

Are Sexual Assault & Domestic Violence Agencies Accessible to Persons with Disabilities?



Work is being done to assure that the answer to this question in North Carolina for a variety of disabilities becomes “yes.”

Martha Lamb

10 Fundamental Elements of Accessibility (FEA)

1. Staff training
2. Intake process
3. Communication
4. Relay NC
5. Printed information
6. Buildings
7. Service animals / personal care assistants
8. Medical care advocacy
9. Legal advocacy
10. Services at no cost

For More Information

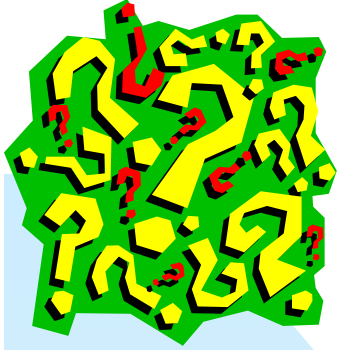


Access the North Carolina Office on Disability & Health's website at:

www.fpg.unc.edu/~ncodh

click on **“Women’s Health”** at left; scroll down & click on **“Access to Sexual Assault & Domestic Violence Services”**; click on **“FEA Resources”** on left.

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Questions Providers And Others May Ask Themselves

- Is anyone with an intellectual disability you are supporting a victim of domestic violence or sexual assault? How could further victimization be prevented?
- Could the person benefit from connecting with community resources designed to serve persons with these problems?
- Could you benefit from more training in dealing with issues of domestic violence or sexual assault, networking with persons who are interested in these issues, or working to make your community more accessible & welcoming to persons with intellectual disabilities? (Identify training need to DDTI 919-966-5463)

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C. Sexual Assault Prevention Focus Group with Persons Who Have Intellectual Disabilities

- Collaborative with Division of Public Health as lead agency through a grant in developing strategic plan addressing sexual assault prevention in North Carolina
- Members including advocates and self-advocates, DMHDDSAS, DOAAS Protective Services for Adults, N.C. Office on Disability and Health, Carolina Institute, and others

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Project pursuing in 2011...

- Based on the knowledge that persons with intellectual disabilities are more likely to be victimized than others, what can be done to prevent the victimization?
- Surveys developed for Victims' Services Providers and Administrators of residential facilities for persons with developmental disabilities to assess their knowledge base and needs in this area...

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Sample Survey Questions

- How would you rate your facility's ability to determine if a resident has experienced sexual violence?
- Are staff required to be trained about sexual violence prevention?
- Do all residents receive training and education about healthy relationships?



IV.DVD's on Disabilities & Justice

- **Access to Justice: Making Our Courthouses Accessible to People with Disabilities** (Disability Rights North Carolina 1-877-235-4210 (Voice) 1-888-268-5535 (TTY))
- **Autism Awareness for Law Enforcement and Community Service Personnel** (North Carolina Autism Society 919-743-0204)
- **A Credo for Support** www.qualitymall.org
- **End the Silence** www.disabilities.temple.edu
- **Autism Training DVD for Police Officers** www.saharacares.net
- **Project G.U.I.D.E. Communicating Effectively with Victims/Witnesses with Severe Disabilities** (Barbara Wheeler 323-361-3829)

Martha Lamb



DVD's on Disabilities & Justice

- **Serving Crime Victims With Disabilities** www.ojp.usdoj.gov/ovc
- **The Mirror Cracked: How to Recognize Exploitation, Neglect & Abuse** [Call Disability Rights North Carolina 1-877-235-4210 (Voice) 1-888-268-5535 (TTY)]
- **To Protect & Serve: An Introduction to People with Intellectual Disabilities** (The Arc of NC 919-782-4632 or Martha Lamb at 919-715-2771)
- **Under Arrest** www.temple.edu/instituteondisabilities
- **Victims with Disabilities: Collaborative, Multidisciplinary First Response (March 2009)** www.ovc.gov/publications
- **Victims with Disabilities: The Forensic Interview-Techniques for Interviewing Victims with Communication &/or Cognitive Disabilities (April 2007)**
www.ovc.gov/publications/infores/other.htm (Scroll down page to access.)



V. Sample Websites

- American Association on Intellectual & Developmental Disabilities www.aaid.org
 - Association of Self-Advocates of North Carolina www.asa-nc.org/
 - The Arc of NC www.arcnc.org (click on “Partners in Justice”)
 - Autism Society of North Carolina www.autismsociety-nc.org/
 - Brain Injury Association of North Carolina www.bianc.org
 - Developmental Disabilities Training Institute www.unc.edu/depts/ddti
 - North Carolina Council on Developmental Disabilities www.nc-ddc.org
 - North Carolina Coalition Against Domestic Violence www.nccadv.org
 - North Carolina Coalition Against Sexual Assault www.nccasa.org
 - North Carolina Department of Health & Human Services Division of Mental Health, Developmental Disabilities & Substance Abuse Services, www.ncdhhs.gov/mhddsas
 - North Carolina Office on Disability & Health www.fpg.unc.edu/~ncodh (click on “Women’s Health” & “Accessibility to Sexual Assault and Domestic Violence Services”)
 - Safeplace www.safeplace.org
 - University of North Carolina Institute for Developmental Disabilities – Center for Development and Learning www.cdl.unc.edu/theCenter.aspx
- DMHDDSAS neither endorses, has any responsibility for, nor exercises any control over the organizations' views or the accuracy of the information contained in those web pages outside of DMHDDSAS's Web site

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